

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

IN RE:	:	
	:	Chapter 11
THE ASPEN STREET CORPORATION	:	
	:	Bky. No. 07-10858ELF
Debtor(s)	:	
	:	
	:	

O R D E R

AND NOW, upon consideration of the Motion of The Aspen Street Corporation (“the Debtor”) to Set the Claim of Sovereign Bank, N.A. (“Sovereign”) and Determine the Amount of the Monthly Payments (“the Motion”), Sovereign’s Response thereto, and after a hearing, and for the reasons set forth in the accompanying Memorandum, it is hereby **ORDERED and DETERMINED** that:

1. Post-petition attorney’s fees and late charges provided for under the parties’ agreement and otherwise allowable as part of Sovereign’s allowed secured claim, see 11 U.S.C. §506(b), may **not** be included in determining Sovereign’s allowed secured claim, see Confirmed Plan §3.2; 11 U.S.C. §1141(a).
2. A further hearing on the Motion is scheduled for **July 1, 2009, at 11:00 a.m.** so that the parties may offer evidence on the issue of the amount of the post-confirmation monthly instalment due to Sovereign under §3.2 of the confirmed plan.
3. In addition, Sovereign shall file a proof of claim on or before **June 10, 2009**. The proof of claim shall be consistent with Paragraph 1 of this Order.
4. The Debtor shall file any objections that it may have to Sovereign’s proof of claim on or before **June 17, 2009**.

5. If the Debtor files an objection pursuant to Paragraph 3 above, a hearing on the objection will be held on **July 1, 2009, at 11:00 a.m.**

A handwritten signature in blue ink, appearing to read 'E. Frank', is positioned above a horizontal line.

Date: May 29, 2009

ERIC L. FRANK
U.S. BANKRUPTCY JUDGE

cc: Albert A. Ciardi III
Attorney for Debtor

Sharil A. Clarke
Attorney for Sovereign Bank